



PATENT APPLICATION NO. 10/630,648  
ATTORNEY DOCKET NO. 20727.NP

## DECLARATION AND PETITION

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am the original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled OPEN ACCESS DATA TRANSPORT SYSTEM AND METHOD, the specification of which was filed on July 30, 2003 as THORPE NORTH & WESTERN, LLP Docket No. 20727.NP, and given United States Application No. 10/630,648; that I have reviewed and understand the contents of the above-identified specification, including the claims; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit of the earlier filed provisional patent application filed in the United States as application no. 60/399,884 filed on July 30, 2002; and, insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

INVENTORS:

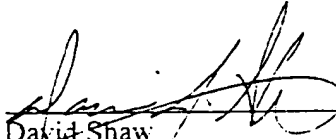
Signed at MURRAY, UTAH, this 12<sup>th</sup> day of NOVEMBER, 2003.



Residence: (City, State):  
Citizenship:  
Post Office Address:

Ernie Bray  
Orem, Utah  
United States of America  
1129 East 400 North  
Orem, Utah 84097

Signed at MURRAY, UTAH, this 12<sup>th</sup> day of NOVEMBER, 2003.

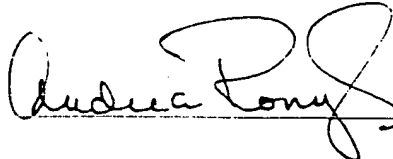


Residence: (City, State):  
Citizenship:  
Post Office Address:

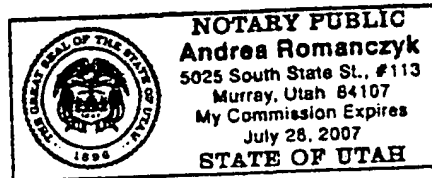
David Shaw  
West Jordan, Utah  
United States of America  
4441 West 8970 South  
West Jordan, Utah 84088

STATE OF UTAH )  
County of Salt Lake : ss

Before me personally appeared David Shaw and Ernest Bray, and acknowledged the foregoing instrument to be their free act and deed this 12 day of November, 2003.

  
\_\_\_\_\_

Notary Public





## POWER OF ATTORNEY


Dynamic City Metronet Advisors, Inc., a corporation, organized and existing under the laws of the State of Utah, having a business address of 380 South 400 West, Lindon, Utah 84042, owner of all right, title and interest in the invention entitled OPEN ACCESS DATA TRANSPORT SYSTEM AND METHOD for which an application for United States Letters patent was filed on July 30, 2003 as THORPE NORTH & WESTERN, LLP Docket No. 20727.NP, and given U.S. Patent Application Serial No. 10/630,648, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of THORPE NORTH & WESTERN, LLP, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; CLIFTON W. THOMPSON, Registration No. 36,947; GARRON M. HOBSON, Registration No. 41,073; PETER M. DE JONGE, Registration No. 47,521; WEILI CHENG, Registration No. 44,609; DAVID R. MCKINNEY, Registration No. 42,868; STEVE M. PERRY, Registration No. 45,357; GARY P. OAKESON, Registration No. 44,266; DAVID W. OSBORNE, Registration No. 44,989; JASON R. JONES, Registration No. 51,008; ERIK S. ERICKSEN, Registration No. 48,954; DAVID L. STOTT, Registration No. 43,937; and PAUL C. OESTREICH, Registration No. 44,983; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

**David R. McKinney**  
**THORPE NORTH & WESTERN, LLP**  
**P.O. Box 1219**  
**Customer No. 20,551**  
**Sandy, Utah 84091-1219**  
**Telephone: (801) 566-6633**  
**Facsimile: (801) 566-0750**

Dated this 24 day of Feb. <sup>(2004)</sup> 2003 at London, Utah (City, State).

DYNAMIC CITY METRONET ADVISORS, INC.

By   
D. Keith Wilson, CEO